

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

In re:

**Roger Keith Fowler and Fontella Lee Fowler**

S.S. Nos.: xxx-xx-2909 and xxx-xx-4557

Mailing Address: 5012 Millstone Drive, Durham, NC 27713-

**Case No. 11-80923**

Debtors.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on June 8, 2011.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: June 23, 2011

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtors  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

# CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)

Date: 1/10/11

Lastname-SS#: Fowler-2909-B

## RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN

Creditor Name	Sch D #	Description of Collateral

## SURRENDER COLLATERAL

Creditor Name	Description of Collateral

## ARREARAGE CLAIMS

Creditor Name	Sch D #	Arrearage Amount	(See †)
			**
			**
			**
			**
			**
Bank of America		\$18,112	**
			**
			**
			**

## REJECTED EXECUTORY CONTRACTS/LEASES

Creditor Name	Description of Collateral

## LTD - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
Bank of America		\$1,289	N/A	n/a	\$1,289.00	Land Home Escrow
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		

## SID - SECURED DEBTS w/ FMV

Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
RTP Federal Credit Union			5.00			Judgment
			5.00			
			5.00			
			5.00			

## SID - SECURED DEBTS w/ 100%

Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
DriveTime - 910		\$11,877	5.00	\$99	\$247.53	2006 Ford Freestyle
Euroclassics		\$8,819	5.00	\$88	\$183.80	2002 Mercedes Benz
			5.00			
			5.00			
			5.00			

ATTORNEY FEE (Unpaid part)		Amount
Law Offices of John T. Orcutt, P.C.		\$2,800
SECURED TAXES		Secured Amt
IRS Tax Liens		
Real Property Taxes on Retained Realty		
UNSECURED PRIORITY DEBTS		Amount
IRS Taxes		
State Taxes		
Personal Property Taxes		
Alimony or Child Support Arrearage		
CO-SIGN PROTECT (Pay 100%)	Int. %	Payoff Amt
All Co-Sign Protect Debts (See*)		
GENERAL NON-PRIORITY UNSECURED		Amount**
	DMI=	None(\$0)
	None(\$0)	None(\$0)

## PROPOSED CHAPTER 13 PLAN PAYMENT

\$ **\$2,150** per month for **60** months, then

\$ **N/A** per month for **N/A** months.

Adequate Protection Payment Period: **2.06** months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt

† = May include up to 2 post-petition payments.

\* Co-sign protect on all debts so designated on the filed schedules.

\*\* = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan\_MD (DeSardi Version 1/12/10) © LOJTO

## Other Miscellaneous Provisions

Plan to allow for 3 "waivers".

## **CERTIFICATE OF SERVICE**

I, Kaelyn McCollum , the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Kaelyn McCollum  
\_\_\_\_\_  
Kaelyn McCollum

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

NC Department of Revenue  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

First Point Collection Resources \*\*  
Post Office Box 26140  
Greensboro, NC 27402-6140

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

Absolute Collection Service \*\*  
421 Fayetteville Street Mall  
Suite 600  
Raleigh, NC 27601

Internal Revenue Service (MD)\*\*  
Post Office Box 7346  
Philadelphia, PA 19101-7346

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

Bank of America Home Loans\*\*  
Attn: Managing Agent  
PO Box 5170  
Simi Valley, CA 93062-5170

Nationwide Insurance  
Post Office Box 42735  
Fayetteville, NC 28309-2735

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

Dish Network\*\*\*  
Dept. 0063  
Palatine, IL 60055-0063

Nationwide Trustee Services, Inc.  
Matressa R. Morris, Substitute Trus  
1587 Northeast Expressway  
Atlanta, GA 30329

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

DriveTime Credit  
Post Office Box 53087  
Attn: Managing Agent  
Phoenix, AZ 85072

NC Department of Justice  
for NC Department of Revenue  
Post Office Box 629  
Raleigh, NC 27602-0629

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

Duke University Health System  
Post Office Box 70841  
Charlotte, NC 28272-0841

NCO Financial Services \*\*  
PO Box 15630  
Dept 72  
Wilmington, DE 19850

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Durham County Tax Collector  
Post Office Box 3397  
Durham, NC 27701

North Carolina Dept of Revenue\*\*  
Post Office Box 1168  
Raleigh, NC 27602-1168

Internal Revenue Service (ED)\*\*  
Post Office Box 7346  
Philadelphia, PA 19101-7346

Durham Regional Hospital  
and Emergency Medical Service  
402 Stadium Drive  
Durham, NC 27704

RTP Federal Credit Union \*\*  
4220 NC Hwy 55  
Suite 330  
Attn: Managing Agent  
Durham, NC 27713

US Attorney's Office (ED)\*\*  
310 New Bern Avenue  
Suite 800, Federal Building  
Raleigh, NC 27601-1461

Euroclassics  
4520 Hillsborough Road  
Attn: Managing Agent  
Durham, NC 27705

Time Warner  
c/o Credit Management  
4200 International PKWY  
Carrollton, TX 75007

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858